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WESTERN DISTRICT OF TEXAS

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

TRAVIS CO. J.V., ROGER
C. HILL, SR., AND CHRISTOPHER HILL,

Plaintiffs,

VS.

HENNESSEE GROUP, LLC, ELIZABETH
LEE HENNESSEE and CHARLES J.
GRADANTE

Defendants.

CIV. ACTION NO. SA-06-CA-0146-FB

**DEFENDANTS' FIRST AMENDED BRIEF IN SUPPORT OF ITS MOTION
TO DISMISS THE FIRST AMENDED COMPLAINT PURSUANT TO
FRCP RULES 10(b), 9(b) AND 12(b)(6)**

**SEAGAL WHEATLEY
Jenkins & Gilchrist, P.C.
112 East Pecan, Suite 900
San Antonio, Texas 78209
Telephone: 210-246-5000
Fax: 210-246-5999**

BENNETT FALK
Bressler, Amery & Ross, P.C.
2801 SW 149th Avenue, Suite 300
Miramar, Florida 33027
Telephone: 954-499-7979
Facsimile: 954-499-7969

ELLEN SESSIONS
Jenkins & Gilchrist, P.C.
1445 Ross Avenue, Suite 3700
Dallas, Texas 75202
Telephone: 210-855-4500
Fax: 214-855-4300

Attorneys for Defendants Hennessee Group
LLC, Charles Gradante and Elizabeth Lee Hennessee

On May 15, 2006 Defendants filed their Brief in Support of It's Motion to Dismiss The First Amended Complaint Pursuant to FRCP Rules 10(b), 9(b) and 12(b)(6) and Exhibit "A" was inadvertently left off. Therefore, please find attached hereto Exhibit "A" which should be incorporated into Defendants' Brief in Support of It's Motion to Dismiss The First Amended Complaint Pursuant to FRCP Rules 10(b), 9(b) and 12(b)(6)

There is nothing substantially different other than the exhibit being excluded from the original filing.

Respectfully submitted,

JENKENS & GILCHRIST, P.C.

By: 

SEAGAL WHEATLEY
Jenkins & Gilchrist, P.C.
112 East Pecan, Suite 900
San Antonio, Texas 78209
Telephone: 210-246-5000
Fax: 210-246-5999

ELLEN SESSIONS
Jenkins & Gilchrist, P.C.
1445 Ross Avenue, Suite 3700
Dallas, Texas 75202
Telephone: 210-855-4500
Fax: 214-855-4300

BENNETT FALK
BRIAN AMERY
Bressler, Amery & Ross, PC
Huntington Centre II
2801 SW 149th Avenue, Suite 300
Miramar, FL 33027
Telephone: 954-499-7979

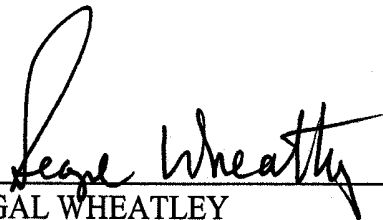
Fax: 954-499-7969

Attorneys for Defendants HENNESSEE
GROUP LLC, ELIZABETH LEE
HENNESSEE AND CHARLES
GRADANTE

CERTIFICATE OF SERVICE

I hereby certify that on this 16 day of May, 2006, a copy of the foregoing First Amended Brief in Support of Defendants' Motion to Dismiss the First Amended Complaint Pursuant to FRCP Rules 10(b), 9(b) and 12(b)(6) was forwarded to the following counsel of record by certified mail, return receipt requested.

Marvin G. Pipkin
Kortney M. Kloppe-Orton
PIPKIN, OLIVER & BRADLEY, LLP
1020 N.E. Loop 410, Suite 810
San Antonio, Texas 78205



SEAGAL WHEATLEY

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

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